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STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2021-

DELEGATION OF AUTHORITY TO THE DEPUTY DIRECTOR OF THE DIVISION OF FINANCIAL ASSISTANCE AND THE DEPUTY DIRECTOR OF THE DIVISION OF ADMINISTRATIVE SERVICES TO EXECUTE CONTRACTS AND AMENDMENTS TO REQUEST RECORD SEARCHES OF THE CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM

WHEREAS:

1. The Division of Administrative Services (DAS) administers routine service contracts and interagency agreements with both public and private entities in support of the State Water Resources Control Board (State Water Board) and the Regional Water Quality Control Boards. The contracts are for non-controversial activities, involve the transaction of routine State business, and do not involve significant policy decisions that would require the consideration of the State Water Board during publicly held Board meetings;
2. In [Resolution No. 2015-0022](#), the State Water Board delegated authority for such non-controversial contract approvals to the State Water Board Executive staff. This resolution limited such authority to execute contracts and amendments to contracts of no more than \$750,000.00 in value and no more than three years in length;
3. There is an ongoing need for California Historical Resources Information System (CHRIS) information to comply with Section 106 of the National Historic Preservation Act (Section 106), when required. A contract is needed to pay the fees associated with obtaining CHRIS data;
4. Allowing the Deputy Director of the Division of Financial Assistance (DFA) or the Deputy Director of DAS to approve all future CHRIS record search contracts and amendments for a contract term up to five years in length will streamline the contract processing for this necessary and specialized service; and,
5. DAS ensures that the State Water Board conducts its contracting activities in compliance with State contracting laws, regulations, policies, and procedures.

THEREFORE BE IT RESOLVED THAT:

The State Water Board hereby authorizes the Deputy Director of DFA or the Deputy Director of DAS to execute, for and on behalf of the State Water Board, contracts, interagency agreements, and amendments described herein and to perform all acts and to do all things necessary and convenient to implement such contracts, interagency agreements, and amendments. This delegation shall be limited to the following actions:

D R A F T

1. Execution of contracts, interagency agreements, and amendments for CHRIS records searches. The contract amount shall not exceed the \$750,000 limit set by Resolution No. 2015-0022. Each contract shall be executed for a term of no more than five years provided that contract funds are encumbered and expended in accordance with any applicable limitations in Government Code Section 16304;
2. Notwithstanding the foregoing, all contracts shall comply with the provisions of Public Contract Code Section 10410 et seq., which set forth contracting restrictions applicable to current and former state civil service officers, civil service employees, and appointed state officials;
3. Except as otherwise specifically provided by the State Water Board, the Executive Director or the Executive Director's designee shall be the duly authorized representative of the State Water Board for the purpose of making a final determination with regard to any dispute arising under or relating to the performance of any contracts to which the State Water Board is a party;
4. The Deputy Director of DAS and the Deputy Director of DFA may redelegate their responsibilities herein as appropriate to managerial staff within the respective Divisions;
5. This resolution will supersede Resolution No. 2015-0022 for any contract, interagency agreement, or amendment pertaining to the CHRIS record searches except for any contract or contract amendment for legal services; and
6. That this authorization shall remain in full force and effect until modified or revoked by the State Water Board.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 21, 2021.

Jeanine Townsend
Clerk to the Board